







Is congestion an environmental impact?

# LOS STANDARDS AND CEQA

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# CEQA and Traffic: Legislative Intent

- Provide clean air and water
- Enjoy aesthetics, historic qualities
- Freedom from excessive noise
- Provide for wildlife and plants
- Ensure long-term protection of environment

CEQA Section 21000

## Traffic and CEQA

- Statute does not address traffic increases as significant impacts
  - References traffic in context of exposure to noise and air pollution
- Guidelines reflect that increases in traffic may be considered significant environmental impacts
- But, social effects are not environmental effects unless they lead to physical environmental changes (CCR Section 15131)

## Definition of Significant Impact

“Significant effect on the environment” means a substantial...change in any of the physical conditions...including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance...”

(CCR Section 15382)



# Is Roadway Congestion a Significant Impact?

- Appendix G: Would project:
  - Cause an increase in traffic which is substantial in relation to...capacity of the street system?
  - Exceed a level of service standard..?
- Does this define an environmental or social impact? Is sitting in a car longer an *environmental* impact?
- ...or does congestion lead to impacts?
  - Air pollution
  - Noise

# Only CEQA Issue with variable standards in same lead agency

- City of Rocklin
  - LOS C for most streets
  - LOS D if within ½ mile of freeway

Is the environment different within ½ mile of a freeway?

# Only CEQA Issue with variable standards in same lead agency

- City of Sacramento EIR at city edge. Significance criteria
  - LOS C if road is within City
  - LOS D if road is within County rural area
  - LOS E if road is within County urban area
  - LOS D if on freeway unless freeway is in downtown where impact is significant below LOS E

Does the environment change when one crosses jurisdictional boundaries or approaches downtown?



# Does LOS have unintended consequences?

- If impact is significant, mitigation required if feasible
  - Forced widening: change character of community?
  - Build capacity to make car travel more convenient vs policies to reduce air, noise and greenhouse gas emissions
- If mitigation is not feasible, EIR is required
- Does mitigation lead to significant impacts (e.g., road widening removes biota or converts Farmland)
- Obstacle to smart growth: can we have high density, in-fill development near transit without tripping LOS thresholds? Does mitigation force solutions (more vehicle capacity) that compete against transit

## A better way

- LOS can help define if transportation infrastructure is sufficient
- But only a significant effect if improvements required, and they cause substantial adverse physical environmental change

**“Would the project result in substantial adverse physical impacts associated with the provision of new road facilities, the construction of which could cause significant environmental impacts?”**